

STATEMENT OF PRINCIPLES: **WORKERS' COMPENSATION**

You have the right to workers' compensation if you are injured at work or if your injury or illness arises out of your work. This can include anything from a broken bone, to muscle injuries resulting from repetitive work, to diseases like asthma or cancer from toxic exposures at work.

Over the years workers have fought for recognition and better compensation for their workplace injuries. Through demonstrations, organizing campaigns, work refusals and occupations, injured workers have, step by step, gained greater rights.

Justice and Dignity for Injured Workers - Jobs or Full Compensation

The workers' compensation legislation has to be rewritten. The purpose clause must clearly state that the compensation system is primarily to fully compensate and support injured workers. Employers are responsible to fund the system and must be liable to make injured worker whole. To accomplish this, injured workers must either be provided a job at no loss of income or be fully compensated. Employers should reduce their costs by reducing injuries – not by reducing injured workers benefits or rights. A fair

and high quality adjudication and appeal system must be guaranteed.

We need a workers' compensation system that fully compensates and supports those who have suffered a workplace injury or illness - one that assists injured workers in returning to employment with dignity and helps to protect all workers from injury or illness at work. The workers' compensation board must be active in identifying compensable conditions.

It's Time to Set Things Right

- 1. 90% of net income – no loss of income due to work related injury, illness or disease**
 - No ceiling limits– all workers should receive 90% of their net income
 - Benefits for re-injury at current rate of pay
 - Restore temporary total disability benefits
 - Eliminate offsets
 - Full cost of living protection and any other material changes that are reflected in the work place
- 2. Full coverage for all work related injuries, diseases and disabilities**
 - Mandatory coverage for all workers
- 3. Re-establish a pension system for permanent disabilities that compensates for loss of earnings and for pain and suffering**
 - Pensions must be lifelong.
 - Permanent wage loss benefits based on actual job – not deemed job
 - Recognition of permanent labour market barriers faced by injured workers.

Statement of Principles

4. Coverage for all benefits including:

- Canada Pension contributions; medical, dental and drug benefits for injured workers and dependents
- Nothing less than collective agreement

5. Eliminate Experience Rating

6. Clear Obligation, without time limits, on Employers to reemploy injured workers at the appropriate time

- Enforceable by the Workers' Compensation Board
- Employers accountable to re-employ injured workers at a job with no loss of income and or opportunity
- Duty to accommodate applies to all employers
- Full respect for collective agreements in unionized workplaces
- Injured workers must have the right to choose not to return to the accident employer – alternatives must be found. This is particularly important in nonunion workplaces.

7. Full Vocational and Social Rehabilitation for permanently injured workers

- Administered by the Workers' Compensation Board
- the objective must be to settle the injured workers in their community and ensure that employment is a job which is entirely suitable and sustainable.
- Eliminate deeming

8. Full medical rights for the injured workers' including:

- Respect for the workers' medical practitioner's findings
- Full respect for medical confidentiality
- Employer controlled medical examinations must be mutually agreed upon.

9. A Fair and High Quality Adjudication and Appeal System

- Increase Board adjudication and appeal staff
- Eliminate time limits
- A fully independent and fully funded Workers' Compensation Appeals Tribunal with qualified decision makers
- 3 member panels
- Regional hearings
- Legislated requirement for public funding to guarantee the rights of injured workers to representation
- Expanded funding and staff for the Office of the Worker Advisor
- Re-establish the OWA advisory council
- Cover all workers

10. Enforcement of Health and Safety Standards – Prevent Injuries

- By the Health and Safety Legislated body in close co-operation with the Workers' Compensation Board
- Penalty assessments on employers who impose risks on workers by violating Health and Safety laws.

